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EXAMINER

POON, K

ART UNIT

PAPER NUMBER

2724

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4

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/107,486

Applicant(s)
Yoshiko Shilmori et al.

Examiner
King Y. Poon

Group Art Unit
2724



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

- ☒ Claim(s) 1-48 _____ is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-48 _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

1. The abstract of the disclosure is objected to because it is more than a paragraph and 250 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 11, 25, 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Hunt et al..

Regarding claim 11: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. Fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The client computer comprises a transmission device (see # 324 of fig. 3) to command (see column 3 line 2) the server to transmit an image data, and to transmit information about the image quality that the display is displaying (see column 1 line 64-67, column 2 line 14-24) such that excess data need not be transmitted by the server. (Note: the image quality

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that the display displaying is information about the display) The image server comprises of a quantity reduction device (see column 2 line 64-65) to reduce image data according to the information received from the client, and an image transmission device to transmit the reduced image data. (See column 2 line 30-32)

Regarding claim 25, 29: Hunt discloses an image communication system in which an image server and a client computer are capable communicating with each other. (See fig. 1A and abstract) The client transmits a request (information) to the server requesting an image. (See column 3 line 2) The image server comprising an image output device for outputting an image (#324 of fig. 3) represented by the image data about requesting the image from the client (see column 3 line 2) and other information regarding the image (see # 410 of. Fig. 4A). The client has a modem (see # 324 of fig. 3) to retrieval image data.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5, 9, 13, 15-19, 22-24, 27, 28, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al..

Regarding claim 1: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. Fig. 3) are

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capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The client computer comprises a transmission device (see # 324 of fig. 3) to command (see column 3 line 2) the server to transmit an image data, and to transmit information about the image quality that the display is displaying (see column 1 line 64-67, column 2 line 14-24) such that excess data need not be transmitted by the server. (Note: the image quality that the display displaying is information about the display) The image server comprises of a quantity reduction device (see column 2 line 64-65) to reduce image data according to the information received from the client, and an image transmission device to transmit the reduced image data. (See column 2 line 30-32) Even though Hunt does not specify to use two transmission devices to transmit data from the client to the server, it would have been obvious that the more transmission devices used, the faster image data can be transmitted.

Regarding claim 5: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. Fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The server receives a command from the client to transmit an image data (see column 3 line 2), and information about the image quality that the display is displaying (see column 1 line 64-67, column 2 line 14-24) such that excess data need not be transmitted. (Note: the image quality that the display displaying is information about the display) The image server also comprises of a quantity reduction device (see column 2 line 64-65) to reduce image data according to the information received from the client, and an image transmission device to

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transmit the reduced image data. (See column 2 line 30-32) Even though Hunt does not specify to use a separate transmission and receiving device to transmit and receive data, it would have been obvious that using a separate transmission and receiving device to transmit and received data would speed up data transfer between the client and the server.

Regarding claim 9: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The client computer comprises a transmission device (see # 324 of fig. 3) to command (see column 3 line 2) the server to transmit an image data, to transmit information about the image quality that the display is displaying (see column 1 line 64-67, column 2 line 14-24) such that excess data need not be transmitted by the server, (Note: the image quality that the display displaying is information about the display) and a receiving device for receiving the reduced image data. Even though Hunt does not specify to use a separate transmission and receiving device to transmit and receive data, it would have been obvious that using a separate transmission and receiving device to transmit and receive data would speed up data transfer between the client and the server.

Regarding claims 13, 17, 18: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer (image data receiver) having a display (see #330 of fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The image server also comprising an image data display

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transmission device (see the transmission medium between # 106 and # 304 of fig. 3) for transmitting image display data for displaying a plurality of sample image having different data size (characteristic) (see column 8 line 46-68, column 9 line 1-5) The client computer has a display to display the image data, (see # 330 of fig. 3) and a transmission device (see # 324 of fig. 3) for transmitting image characteristics to the server. (See supplied information and amount of data (data size) of abstract) Even though Hunt does not call the display device an image characteristic setting device, it would have been obvious that the display device can function as a image characteristics setting device because the display device can display the image of different data size sent from the server such that the image with different data size can be selected and displayed. (see column 9 line 1-5)

Regarding claim 15: Hunt teaches to transmit and adjust image data according to client supply information. (See abstract) It would have been obvious that the client can include in the information that the image is to be adjusted in the client computer if the client can and prefer to adjust the image and have the server to adjust the image if the client cannot adjust the image.

Regarding claim 16: Hunt teaches that the image data size can be stored in the server. (See fig. 6A) (at least one)

Regarding claims 19, 27: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The image server comprises of a quantity reduction device (see column 2 line 64-65) to

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reduce image data according to the information received from the client, and an image transmission device to transmit the reduced image data. (See column 2 line 30-32) From fig. 1B of Hunt, the server and the client are the same except that the server has an image customization process unit to reduce the image data. Hunt also teaches that the images transmitted needs to be customized and reduces transmission time. (See abstract) Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to use two units of # 102 as an image communication system. (One for the client and one for the server) The suggestion of doing so would have allowed the client to transmit a reduced image data image to the server (customized) and reduced the transmission time from the client to the server as discussed in Hunt's reference abstract.

Regarding claim 22: Hunt teaches that quantity reduction is performed according to a compression rate (See column 8 line 45-55) and is done with respect to a transmission speed. (See column 9 line 18-20)

Regarding claims 23, 28: Hunt teaches a client to communicate with a server (see fig. 1A) Hunt teaches that the server uses a computer (see # 102 of fig. 1B) that can perform data compression according to a rate of compression (see progressive JPEG of column 8 line 52) in respect to a transmission speed. (See column 9 line 18-21) Hunt also teaches to use a display in the client computer for displaying data. (See #330 of fig. 3) From fig. 1B of Hunt, the server and the client are the same except that the server has an image customization process unit to reduce the image data. Hunt further teaches that the image transmitted needs to be customized and

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reduces transmission time. (See abstract) Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to use two units of # 102 as an image communication system. (One for the client and one for the server) The suggestion of doing so would have allowed the client to transmit a reduced image data image to the server (customized) and reduced the transmission time from the client to the server as discussed in Hunt's reference abstract.

Note: A transmission time is calculated by dividing the actual data transmitted by the transmission speed

Regarding claim 24: Hunt teaches to use a video controller (display control device) to control image data to be displayed. (See # 322 of fig. 3)

Regarding claim 31: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) are capable of communicating with each other, and the image server stores image data. (See column 4 line 66) The image server comprises of a quantity reduction device (see column 2 line 64-65) to reduce image data according to the information received from the client, and an image transmission device to transmit the reduced image data. (See column 2 line 30-32) Hunt also teaches to use a ROM (see # 314 of fig. 3) to store a program code for a computer. From fig. 1B of Hunt, the server and the client are the same except that the server has an image customization process unit to reduce the image data. Hunt further teaches that the images transmitted needs to be customized and reduce transmission time. (See abstract) Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to use two units of # 102 with a display as an

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image communication system. (One for the client and one for the server) The suggestion of doing so would have allowed the client to transmit a reduced image data image to the server (customized) and reduced the transmission time from the client to the server.

Regarding claims 32: Hunt teaches a client to communicate with a server (see fig. 1A) The server uses a computer (see # 102 of fig. 1B) that can perform data compression according to a rate of compression (see progressive JPEG of column 8 line 52) in respect to a transmission speed. (See column 9 line 18-21) Hunt also teaches to use a display in the client computer for displaying data, (See #330 of fig. 3) and to use a ROM (see # 314 of fig. 3) to store a program code for a computer. From fig. 1B of Hunt, the server and the client are the same except that the server has an image customization process unit to reduce the image data. Hunt further teaches that the image transmitted needs to be customized and reduces transmission time. (See abstract) Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to use two units of # 102 as an image communication system. (One for the client and one for the server) The suggestion of doing so would have allowed the client to transmit a reduced image data image to the server (customized) and reduced the transmission time from the client to the server as discussed in Hunt's reference abstract.

Note: A transmission time is calculated by dividing the actual data transmitted by the transmission speed

Regarding claim 33: Hunt discloses an image communication system in which an image server and a client computer are capable communicating with each other. (See fig. 1A and

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abstract) Hunt also teaches to use a ROM (see # 314 of fig. 3) to store a program code for a computer. The client transmits a request (information) to the server requesting an image. (See column 3 line 2) The image server comprising an image output device for outputting an image (#324 of fig. 3) represented by the image data about requesting the image from the client (see column 3 line 2) and other information regarding the image (see # 410 of. Fig. 4A). The client has a modem (see # 324 of fig. 3) to retrieval image data. Even though Hunt does not specify to use two transmission devices to transmit data from the client to the server, it would have been obvious that the more transmission devices used, the faster image data can be transmitted.

6. Claims 2, 6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al. In view of Takaoka et al..

Regarding claim 2, 6: Hunt has disclosed all of the claim limitations except that the number of colors (quality of an image) are image data. Hunt also teaches that the reduction of image data is for reducing transmission time. (See abstract) Takaoka teaches that the (quality of an image) level of color (number of color) are image data. (See column 19 line 1-8) Hunt and Takaoka are combinable because they are from the same area of transferring images through a network. At the time of invention, it would have been obvious to one of ordinary skill in the art to reduce levels of color. The suggestion of doing so would have reduced transmission time which is desirable as discussed in Hunt's reference abstract. Therefore, it would have been obvious to combine Hunt and Takaoka to obtain the invention as obtain the invention as specified in claim 2, 6.

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Regarding claim 14: Hunt has disclosed all of the claim limitations except that the image data include color tonalities. Takaoka teaches that the image data include color tonalities. (See column 19 line 1-8) Hunt and Takaoka are combinable because they are from the same area of transferring images through a network. At the time of invention, it would have been obvious to include color tonalities as image data. The suggestion of doing so would have allowed the image to be displayed with different colors and it can be reasoned by one of ordinary skill in the art that the more colors there are, the better view a person can perceived. Therefore, it would have been obvious to combine Hunt and Takaoka to obtain the invention as obtain the invention as specified in claim 14.

7. Claims 3, 7, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al. In view of Tsutamori et al..

Regarding claim 3, 7, 20: Hunt has disclosed all of the claim limitations except that the resolution of an image (quality of an image) is an image data. Hunts also teaches that the reduction of image data is to reduce transmission time. (See abstract) Tsutamori teaches that the resolution of an image (quality of an image) is an image data and needs to be reduced. (Thinning) (See abstract) Hunt and Tsutamori are combinable because they are from the same area of transferring images through a network. At the time of invention, it would have been obvious to see the resolution of an image (quality of an image) as image data and needs to be reduced. The suggestion of doing so would have reduced transmission time which is desirable as

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discussed in Hunt's reference abstract. Therefore, it would have been obvious to combine Hunt and Tsutamori to obtain the invention as specified in claim 3, 7, 20.

8. Claims 4, 8, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al. In view of Uda et al.

Regarding claims 4, 8: Hunt has disclosed all of the claim limitations except a printer for the server to print. Uda teaches to provide a printer for a server to print image data. (See fig. 1) Hunt and Uda are combinable because they are from the same area of using a server to store image data. At the time of invention, it would have been obvious to one of ordinary skill in the art to provide a printer for the server. The suggestion of doing so would have allowed remote users to utilize a distant printer which is effective as discussed in column 1 line 58-60 of Uda. Therefore, it would have been obvious to combine Hunt and Uda to obtain the invention as specified in claim 4, 8.

Note: Since the image is used for display also, the RGB signal that the server produced needs to be converted to CMYK for the printer to print.

Regarding claim 21: Hunt has disclosed all of the claim limitations except a printer for printing in the server. Uda teaches to provide a printer for a server to print image data. (See fig. 1) Hunt and Uda are combinable because they are from the same area of using a server to store image data. At the time of invention, it would have been obvious to one of ordinary skill in the art to provide a printer for the server. The suggestion of doing so would have allowed remote users to utilize a distant printer which is effective as discussed in column 1 line 58-60 of Uda. .

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(See column 1 line 58-60 of Uda) Therefore, it would have been obvious to combine Hunt and Uda to obtain the invention as specified in claim 21.

Note: printing an image means reproducing an image onto an area of recording medium where a sheet of recording medium can be viewed as a frame of an image. The quantity reduction means partially extracting image data from an image.

9. Claims 10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uda et al. In view of Hirono et al.

Regarding claims 10, 12: Uda discloses an image server (see # 107 of fig.1) used in an image communication system in which the server and the client computer having a display, (see # 106 of fig. 1) are capable of communicating with each other, comprising an image reading device, (see # 103a of fig. 1) an image data storing device, (see # 203 of fig. 2), and an image data transmission device (see # 202 of fig. 2) for transmitting image data from the server to the client computer. Uda does not specify an input device inputting display direction data and a display direction conversion processing device for displaying the image data in normal position. Hirono teaches that inputting an image position into an image memory and to display the image in normal position. (See column 7 line 54-67 and column 8 line 1-7) Uda and Hirono are combinable because they are from the same area of displaying an image. At the time of invention, it would have been obvious to one of ordinary skill in the art to input an image position into an image memory and to display the image in normal position. The suggestion of doing so would have allowed a user to scan in an image at any position and read out the image at

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a normal position as discussed in column 8 line 6-7 of Hirono which is desirable. Therefore, it would have been obvious to combine Uda and Hirono to obtain the invention as specified in claim 10, 12.

10. Claims 26, 30, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uda et al. In view of Kurahashi et al..

Regarding claim 26, 30: Uda discloses a client computer (# 101 of fig. 1) used in an image communication system (see fig. 1) in which the server having a printer (see # 104c of fig. 1) and can communicate with the client and the client can receive image data from the server. Uda does not teach to receive a printing template and to synthesizing the part of the printing template with a part of an image from the client. Kurahashi teaches to synthesis a printing template (see # 4 of fig. 1) with another image (see #3 and 1 of fig. 1) Uda and Kurahashi are combinable because they are from the same area of image. At the time of invention, it would have been obvious to receive a template from the server and synthesis with an image stored in the client. The suggestion of doing so would allow the client to save memory for not saving template images in the client's memory and is desirable and this can be reasoned by one of ordinary skill in the art from common knowledge because a client computer usually is having less memory compare to a server and it is better to save the template in the server. Therefore, it would have been obvious to combine Uda and Kurahashi to obtain the invention as specified in claim 26, 30.

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Regarding claim 34: Uda teaches to use a ROM (see #204 of fig. 2) to store a program for the method of claim 30. Please see claim 30.

11. Claims 35-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurahashi et al.

Regarding claims 35, 41: Kurahashi et al. teach an image editing system (see title) in which an image server (see # 52 of fig. 5) communicating with client computers (see # 53 and 55 of fig. 5) and the client computer can edit images and send the editing information to the server. (Column 6 line 45-56) The server can also send editing image information to a client computer (see column 8 line 1-10) Kurahashi does not specified that the image editing device (computer) is a reediting device and the transmission mean to transmit the image data is reediting information transmission. Because Kurahashi teaches to send editing information back and forth and to have the image to edit to be edited in any one of the computers, the computer can edit the image data more than one time. Therefore, it would have been obvious that the computer used in the client to reedit the image data (edit more than one time) is a reediting device, and the transmission device used to transmit the reediting information is a reediting transmission device.

Regarding claim 36, 43: As discussed in the discussion of claim 35, Kurahashi teaches to send editing (reediting) information about the editing image. It would have been obvious that the editing information is directed to the portion that the image is to be edited because the portion that is not to be edited would not need editing information.

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Regarding claim 42: This is a method claim claiming the methods that the apparatus performs in claim 41. Please see claim 41.

Regarding claim 37, 44: Kurahashi teaches to send editing information (execution data) about the editing image (see column 8 line 1-10). The server also comprising a processing mean (see column 7 line 1-5) (judgment device and allowance data transmission mean) for judging whether the editing is allowed to be edited in the client computer or the server and send editing information to the client computer that editing is allowed. The client computer comprises a control device (see # 32 of fig. 2) for performing editing (reediting).

Regarding claim 38, 45: Kurahashi teaches that a plurality of computers can be form by a group of two computers (see fig. 5) and because the computers are on a network, the network would have other groups of computers such as the group of computers shown in fig. 13.

Regarding claim 39, 46: Kurahashi teaches that the client computer comprises a keyboard (see fig. 5) (comment entry device) for entering editing information which can include comments like enlarge. (See enlarge comment of fig. 1)

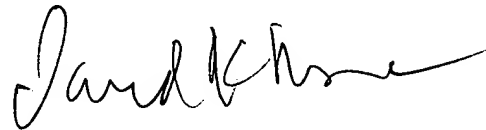
Regarding claim 40, 47: Kurahashi teaches that the edited image (6 of fig. 1) is constituted by a plurality of object images. (See fig. 1) The editing functions include deletion, (see column 10 line 55), addition, (see composite of fig. 1) and alteration. (See enlarge of fig. 1)

Regarding claim 48: Kurahashi teaches to use a computer (see client computer and server of fig. 5) which has a program to control the editing system in claim 35. Please see claim 35.

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Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

A handwritten signature in black ink, appearing to read "David K. Moore", with a stylized, flowing script.

DAVID K. MOORE
SUPERVISORY PATENT EXAMINER
GROUP 2700

November 18, 1999